(4) A copy of the Income-tax (Fifth Amendment) Rules, 1997 (Hindi and English versions) published in Notification No. S.O. 224(E) in Gazette of India dated the 19th March, 1997 under section 296 of the Income-tax Act, 1961.

[Placed in Library. *See* No. L.T. 1893/97]

12.05 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

Eighth Report

[English]

PROF. PREM SINGH CHANDUMAJRA (Patiala) : Sir I beg to present the Eighth Report (Hindi and English versions) of the Committee on Private Members' Bills and Resolutions.

12.05½ hrs.

COMMITTEE ON GOVERNMENT ASSURANCES

Second and Third Reports

[English]

SHRI E. AHAMED (Manjeri) : Sir, I beg to present the following Reports (Hindi and English versions) of the Committee on Government Assurances :

(1) Second Report on requests for dropping of certain assurances.

(2) Third Report on the implementation of the assurance in respect of Purulia Arms Dropping.

12.06 hrs.

MOTION RE : QUESTION OF PRIVILEGE

SHRI NITISH KUMAR : Mr. Chairman, Sir, only yesterday I have given notice about breach of privilege. I also met the hon. Speaker in this regard. He allowed me to raise it today. The matter is that it was published in the Lok Sabha Bulletin Part-II, No.-1128, Dt.-1st May that –

[English]

"No. 1128 Arrest and Release of Shri Nitish Kumar

The following communication dated the 30th April, 1997, addressed to the Speaker, Lok Sabha by the Magistrate, Patna, Bihar was received on the 1st May, 1997 :

Shri Nitish Kumar, Member of Lok Sabha was arrested on the 28th April, 1997 under Section 151 of the Cr. P.C. by the Zonal Officer and Sub-Divisional Magistrate, Patna, Bihar for apprehension of breach of peace.

He was released on Personal Bond, the same day."

[Translation]

This is the Bulletin. Mr. Chairman, Sir, my notice of breach of privilege is on two points.

[English]

This is regarding intimation to Speaker regarding arrest, detention etc. and release of Member, Rule 229 states clearly and I quote :

> "When a member is arrested on a criminal charge or for a criminal offence or is sentenced to imprisonment by a court or is detained under an executive order, the committing judge, magistrate or executive authority, as the case may be shall immediately intimate such fact to the Speaker indicating the reasons for the arrest, detneion or conviction, as the case may be, as also the place of detention or imprisonment of the member in the appropriate form set out in the Third Schedule."

[Translation]

The term "shall immediately intimate" means the intimation of such facts within 24 hours or the same day itself. It does not mean that intimation should reach after three days. He himself said that I was arrested on 28th April and the intimation thereof was sent by the District Magistrate on 30 April which was received here on 1st May i.e. after three days of his arrest. Contray to this, it should have reached within one, two or three hours. Bihar is a part of the country and it is not out of India. Then why was not this intimation sent immediately ? This is a matter of breach of privilege *.....(Interruptions)*

My second point pertains to a false information.

[English]

It says, 'He was released on Personal Bond, the same day.

[Translation]

I did not execute any Personal Bond and nothing like Personal Bond was required. Nobody else on my behalf can give Personal Bond. I also did not execute any Personal Bond.

The fact of the matter is that when C.B.I decided to chargeshent the people involved in fodder scam, we also decided to take out a procession. On April, 28th we were marching in a procession on the streets of Patna where we were arrested at Dak Bunglow Crossing. When we enquired on what charges we were being arrested, we were merely told that we were being taken under arrest. After the arrest, at a distance of two furlong, we.....*(Interruptions)* I am finishing within one minute. We were lodged in the Kotwali at a distance of only two furlong from the site of the arrest. When we enquired about the reasons for our detention in the Kotwali, the police official present there come before us with folded hands and said that it was a matter of his livelihood. The District Magistrate had ordered him to detain us for half-an-hour more. We realised that since he was a junior officer and incase we would go out from there, he may lose his job and, hence, we remained there. After half-an-hour he told us that now we were released and we can go back to our